

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS
BENTON DIVISION

MARY E. SHEPARD AND THE)
ILLINOIS STATE RIFLE ASSOCIATION,)
Plaintiffs)
vs.) No. 3:11-cv-00405-WDS-PMF
)
LISA M. MADIGAN, solely in her official)
capacity as ATTORNEY GENERAL OF)
ILLINOIS, GOVERNOR PATRICK J.)
QUINN, solely in his official capacity as)
Governor of the State of Illinois, TYLER)
EDMONDS, solely in his official capacity)
as the State's Attorney of Union County,)
Illinois, and SHERIFF DAVID LIVESAY,)
solely in his official capacity as Sheriff)
of Union County, Illinois,)
Defendants.)

**MOTION TO DEFER RULING ON
PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

NOW Comes the Defendant, Sheriff David Livesay, solely in his official capacity as Sheriff of Union County, by Joseph A. Bleyer of Bleyer and Bleyer, his attorneys, and for his Motion to Defer Ruling on Plaintiffs' Motion for Summary Judgment, says:

1. That the Defendants, Lisa Madigan, Attorney General of the State of Illinois, Patrick J. Quinn, Governor of the State of Illinois and Tyler R. Edmonds, State's Attorney of Union County, Illinois have filed herein their Motion to Defer Ruling Plaintiffs' Motion for Summary Judgment (Doc.47) and Exhibits in Support (Doc.48).

2. That the Defendant, Sheriff David Livesay concurs with the Defendants, Lisa Madigan, Attorney General of the State of Illinois, Patrick J. Quinn, Governor of the State of Illinois and Tyler R. Edmonds, State's Attorney of Union County, Illinois' Motion to Defer Ruling on Motion for Summary Judgment and adopts Doc. 47 and Doc. 48 as and for his Motion to Defer Ruling on Plaintiffs' Motion for Summary Judgment.

WHEREFORE, Defendant Sheriff David Livesay, respectfully requests that this Honorable Court defer ruling on Plaintiffs' Motion for Summary Judgment until after the Court rules on the pending Motion to Dismiss and the parties are given time for discovery.

BLEYER and BLEYER

S/Joseph A. Bleyer
Attorney Registration No. 6193192
Attorneys for Defendant, Sheriff David Livesay

BLEYER AND BLEYER
Attorneys at Law
601 West Jackson Street
Post Office Box 487
Marion, IL 62959-0487
Telephone: (618)997-1331
Facsimile: (618)997-6559
e-mail: jableyer@bleyerlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2011, I electronically filed an Motion to Defer Ruling on Motion for Summary Judgment on behalf of Sheriff David Livesay, solely in his official capacity as Sheriff of Union County, with the Clerk of the Court using CM/ECF System which will send notifications of such filing to the following:

William N. Howard
Freeborn & Peters LLP
311 S. Wacker Drive, Suite 3000
Chicago, IL 60606

Terrance Corrigan
Assistant Attorney General
Lisa Madigan, Attorney General
500 South Second
Springfield, IL 62706-0001

Jonathan Lee Diesenhaus
Hogan Lovells, LLP
555 13th Street, NW
Washington, DC 20004

Charles J. Cooper
Cooper & Kirk, PLLC
1523 New Hampshire Avenue NW
Washington, DC 20036

I hereby certify that on September 2, 2011, I mailed by United States Postal Service, the documents to the following nonregistered participants:

None

S/JOSEPH A. BLEYER

BLEYER AND BLEYER
Attorneys at Law
601 West Jackson Street
Post Office Box 487
Marion, IL 62959-0487
Telephone: (618)997-1331
Facsimile: (618)997-6559
e-mail: jableyer@bleyerlaw.com